IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 22.06.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice V.DHANAPALAN

Writ Appeal Nos. 1649 and 1999 of 2000

W.A. No. 1649/2000:

1. K.Balasubramanian
2. K.Srinivasan
3. J.Balaji
4. K.A.Subash Chandra Bose
5. M.Rajendran
6. A.R.Balakumar
7. G.Selvaraj
8. P.V.Saravanan
9. R.Sundaresan
10. R.Mugundhan
11. G.S.Ayyappan
12. M.Kumara Guru
13. S.Ramaswamy
14. P.Suresh Kannah
15. K.Venkatesan
16. P.Narayanasamy
17. G.Muthukumar
18. V.Chandrasekaran
19. S.Ponmozhi
20. M.Thirugnanam
21. A.Chandra Baskar
22. N.Prabakaran
23. V.Govindaraj
24. S.Balamurugan
25. A.Antony Xavier Joseph
26. K.Rajaganapathy
27. S.Ganesan
28. M.Easwari
29. P.Indira
30. D.Kumar
31. J.Rathina Kumar
32. J.Prabhu Kumar
33. P.Ramesh
34. N.Venkataramana
35. K.Harikrishnan
36. P.Jayaraman

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37. S.Panner Selvam
38. M.Jagannathan
39. S.Devarajan
40. J.Parthasarathy
41. V.Subbiah
42. D.Suresh Kumar
43. P.Karthikeyan
44. D.Kaliamurthi
45. P.Thangappan
46. S.Saravana Kumar
47. N.Ravi
48. P.Rama Krishnan
49. N.Sankar
50. A.Ganesan
51. M.Bala Mohan
52. K.S.Saravanan
53. J.R.Krishnamurthy
54. D.Vaikunda Rajan
55. A.Jai Sankar
56. D.Kumara Vadivelu
57. S.Pugalendi
58. M.Abdul Razack
59. S.Gopi
60. V.Ravichandran
61. P.Ashok Kumar
62. C.A.Joju
63. D.Karthikeyan
64. M.Srinivasan
65. B.Magesh
66. N.J.Devaprasad
67. D.Balasubramanian
68. D.Meganathan
69. S.Arumugam
70. B.Sukumar
71. K.S.Senthil Kumaravel
72. S.Ravichandran
73. R.Marudhanan
74. K.Murali
75. R.Kannan
76. V.Ravindran
77. S.Elangeswaran
78. S.Jayasree
79. T.D.Krishnakumar
80. G.Gopinath
81. M.K.Vinayagamurthy
82. D.Selvakumar
83. E.Krishnamoorthy
84. A.G.Krishnan
85. G.Manikandan
86. K.Nagarajan
87. T.Baskaran

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88. G.Tamilvel
89. M.Thangapandian
90. G.Pandurangarao
91. K.Lakshmi Praba
92. P.Ramesh
93. R.Govindaraj
94. V.Sivakumar
95. R.Yamuna Rani
96. C.Chelladurai
97. M.Selvaraj
98. K.K.Jembu Kailash
99. M.Elumalai
100. N.Ramar
101. V.Balakumar
102. D.Paul Ebnenezer
103. R.G.Sekar
104. Sangaiah
105. L.Tamilarasan
106. M.Dhanasekar
107. V.Jagen
108. A.S.Varadharajan
109. V.Rajendran
110. A.V.Ramesh
111. S.Arun Kumar
112. B.Ezhilarasan
113. K.Sadanandan
114. M.S.Annamalai
115. P.Anbazhagan
116. S.Murugesan
117. Venkatesan
118. K.Megavanna Muthu Prabhu
119. P.S.Chandan
120. M.S.Vasanth
121. D.Uamayal
122. K.Lochana
123. M.Poonkodai
124. N.Josephin Jeya
125. M.Pardhasarathy
126. V.Rajavel
127. V.Lakshmanan
128. M.Suresh
129. J.Prakasam
130. P.Veeramalai
131. S.Sivakumar
132. M.Stephen Irudhayasamy
133. K.Sivashanmugam
134. B.Sugumar
135. N.Srinivasaraghavan
136. M.Subramanian
137. M.Manoharan
138. C.Arumugam ... Appellants

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Vs.

1. Government of Tamil Nadu rep.
   by its Commissioner and Secretary
   to Government,
   Fort St. George, Chennai-9.

2. Anna University, rep. by its
   Registrar, Chennai-25.

3. Dean,
   (Students Main Campus),
   Anna University, Chennai-25. ... Respondents

Writ appeal filed under Clause 15 of the Letters Patent against the order dated 30.08.2000 made in W.P.No.164 of 2000.

For Appellants : Mr.Yashod Vardhan
For Respondent-1 : Mr.M.Dhandapani,
Addl. Government Pleader
For 2nd Respondents : Mr.M.Mani Sundar Gopal for
M/s.G.M.Mani Associates

W.A. No.1999 of 2000:

S.Thiruguhan ...Appellant

Vs.

1. State of Tamil Nadu rep. by its
   Secretary to Government,
   Education Department,
   Fort St. George, Chennai-9.

2. Anna University, rep. by its
   Registrar, Guindy, Chennai-25. ...Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order of this Court dated 30.8.2000 in W.P. No.4330 of 2000.
(WP.No.164/2000 and 4330/2000 presented under Article 226 of the Constitution of India to issue Writs of Certiorarified Mandamus calling for the records.

(i) relating to circular in No.006/CPDE/99, dated 22.12.1999 issued by the second respondent, the Registrar, Anna University, Chennai-25 and quash the same, in so far as the petitioners are concerned, and direct the respondents 2 and 3 to accept the fee for

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part time B.E. Degree Course, fixed at the time of their admission and as per circular dated 6.12.1999 (WP.No.164/2000), and

(ii) of the second respondent and quash the revision in the fee notified in the calendar for the students admitted to the part time B.E. Course in the academic year 1999-2000 and consequently direct the second respondent to fix the fees payable by the petitioners for the coruse at the same rate as prescribed for part time B.E. Students admitted in the previous academic year (WP.No.4330/2000), respectively)

For Appellant :: Mr.R.Yashod Vardhan

For Respondent-1 :: Mr.M.Dhandapani, Addl.Govt.Pleader

For Respondent-2 :: Mr.M.Mani Sundar Gopal for
M/s.G.M.Mani Associates.

COMMON JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

Heard the learned counsel appearing for the appellants as well as respondents.

2. Learned counsel appearing for the appellants fairly submits that the appellants, who are all students and who joined the institution, after completion of the course, left the institution. According to him, in view of the above fact and subsequent developments, no further adjudication is required in this matter. However, learned counsel for the appellants seeks observation that the question relating to the power of University in fixing the revised fees is to be left open.

3. In the light of the conclusion arrived at by the learned single Judge, we are of the view that there is no such observation is required. However, it is made clear that if the same is permissible, the appellants are free to raise the same at the appropriate stage in accordance with law.

4. With the above observation, these writ appeals are dismissed. No costs.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Commissioner and Secretary
   to Government of Tamil Nadu,
   Fort St. George, Chennai-9.

2. The Registrar,
   Anna University, Chennai-25.

3. Dean,
   (Students Main Campus),
   Anna University, Chennai-25.

4. The Secretary to Government of
   Tamil Nadu,
   Education Department,
   Fort St. George, Chennai-9.

2 ccs to M/s.G.M.Mani Associates, Advocate, SR.Nos.26446, 26447

jrg (co)

dv/28.6.06

W.A.Nos.1649 and 1999
of 2000

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